IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY THIRD DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 4732 of 1996

Between:

1 N. Chandrasekhar S/o Paramaiah
R/o Utnoor, Adilabad District.

2 A. Krishna Reddy S/o Narayana Reddy
R/o Utnoor, Adilabad District.

..... PETITIONERS

AND

1 A.P. Residential Educational Institutions Society rep. by Secretary
Gagan Vihar, III Floor, Nampally,
Hyderabad

2 The Vice-Chairman, A.P.R.E.I. Society & Secretary to Govt., Education Dept., Secretariat Buildings, Saifabad, Hyderabad

3 R.S. Rajendra Prasad
A.P. Residential School, Srisailam (ST),
Kurnool Dist.

4 P. Purushotham Reddy
A.P. Residential School, Beechpally,
Mahaboobnagar Dist.

5 Principal, (dismissed)
A.P.R.Junior College, Utnoor, Adilabad Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ or order or direction more particularly one in the nature of writ of Mandamus to declare as illegal and arbitrary the proceedings of the 1st respondent issued in Rc.No.13/C1-1/95 dated 29-2-1996 issued to petitioners 1 & 2

and issue a consequential direction to Respondents 1 & 2 to regularise the services of the Petitioners as Junior Lecturers in Botany and Mathematics respectively with effect from the date of their joining as Junior Lecturers/promotion as Post Graduate Teachers with all consequential benefits including salary and seniority.

Counsel for the Petitioner: MR.D.V.SITARAMAMURTHY

Counsel for the Respondents: MR.AKA.VENKATARAMANA

The Court made the following:

O R D E R:

Heard both sides.

The petitioners herein who are working as lecturers filed this writ petition, *inter alia,* seeking to assail the impugned order dated 29-02-1996, whereby they were sought to be reverted from the category of Junior Lecturers to the Post Graduate Teachers.

The grievance of the petitioners is that though they have put in a continuous service of 7 ½ and 6 ½ years respectively, they were reverted.

Admittedly this Court has already granted interim directions in W.P.M.P.No.6294 of 1996 dated 13-03-1996 and also extended the same as per orders dated 08-04-1996 and the said orders are still in force.

It is now submitted, across the bar, by both sides that the first respondent-Society, under which the petitioners are working, has been bifurcated in 1999 into two societies i.e., A.P. Residential Educational Institutions Society and A.P. Tribunal Welfare Educational Institutions Society, whereupon the petitioners were asked their options and accordingly, they opted to continue their service where they were. Ultimately, in 2001 the bifurcation proceedings have been completed.

Having regard to such subsequent events, it is not necessary to go into the merits of the claim and it would suffice, in the interests of justice, to direct the respondents to consider the case of the petitioners for promotion or such other benefits to which they are

entitled to under law.

In view of the facts and circumstances of the case, the impugned order dated 29-02-1996 is set aside and the writ petition is allowed. The respondents are directed to consider the case of the petitioners afresh after giving notice and opportunity and pass appropriate orders. No costs.

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(**B. PRAKASH RAO, J**)

Date: 23-11-2004

ghn

The Rule nisi has been made absolute as above.

Witness the Hon'ble Sri Devinder Gupta, the Chief Justice on this Tuesday, the twenty third day of November, Two thousand and Four.

To

1 The Secretary, A.P. Residential Educational Institutions Society
Gagan Vihar, III Floor, Nampally,
Hyderabad

2 The Vice-Chairman, A.P.R.E.I. Society & Secretary to Govt., Education Dept., Secretariat Buildings, Saifabad, Hyderabad

3 Two CD copies.